

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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GAIL STRINGER, et al.,

Plaintiffs,

v.

DAWN RICHARD, et al.,

Defendants.

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CASE NO. 4:21-cv-00632

OPINION & ORDER  
[Resolving Doc. [9](#)]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

Plaintiffs Gail Stringer, Debra Jordan, Venice Andrews, and Eddie Howard sue Defendants Dawn Richard and Derek Bergheimer for copyright infringement, violation of publicity, and invasion of privacy.<sup>1</sup>

On August 10, 2021, Plaintiffs moved for default judgment against Defendants without proper service.<sup>2</sup> On September 29, 2021, this Court directed Plaintiff to show proof of service within fourteen days.

Plaintiffs again attempted to serve Defendants through certified mail.

On November 8, 2021, service was return unexecuted upon Defendant Derek Bergheimer.<sup>3</sup>

On November 9, 2021, service was returned executed upon Defendant Dawn Richard.<sup>4</sup> She was served on October 27, 2021.<sup>5</sup> Pursuant to Rule 12, Defendant Richard's answer was due 21 days after service, or on November 17, 2021.<sup>6</sup> Defendant

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<sup>1</sup> Doc. [1](#).

<sup>2</sup> Doc. [9](#).

<sup>3</sup> Doc. [14](#).

<sup>4</sup> Doc. [15](#).

<sup>5</sup> *Id.*

<sup>6</sup> Fed. R. Civ. P. 12(a)(1)(A)(i).

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Richard timely filed her answer on November 16, 2021.<sup>7</sup>

Because Defendant Bergheimer was not properly served and Defendant Richard timely filed her answer, this Court **DENIES** Plaintiffs' motion for default judgment.

IT IS SO ORDERED.

Dated: November 18, 2021

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>7</sup> Doc. 16.